

Appl. No. 10/766,722
Amdt. Date: July 28, 2005
Reply to Office Action of April 29, 2005

REMARKS / ARGUMENTS

Claims 1-4 and 7-11 are pending in this application. Claims 1-4 and 9-11 stand rejected, and claims 7 and 8 have been allowed. In the present amendment, claims 4 and 11 have been canceled without prejudice, and new claims 12 and 13 have been added.

In the Office Action mailed April 29, 2005, the Examiner rejected claim 4 base on 35 U.S.C. §112, second paragraph. Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Nos. 5,671,578 and 5,408,798 to Hohmann. Claims 1-4 and 9-11 were rejected as being anticipated by U.S. Patent No. 4,660,342 to Salisbury. Applicant gratefully acknowledges that claims 7 and 8 have been allowed.

Applicant has amended claim 1 to more clearly the state the invention being claimed. Claim 1 is allowable over Hohmann '578, because Hohmann '578 does not disclose a connecting bracket for use in a masonry anchor having arms and a cross member that are coplanar, as is recited in the amended claim 1. Claim 1 is patentably distinguishable over Hohmann '798, because the connecting bracket of Hohmann '798 does not have a third curve which is intermediate the first and second ends of the cross member (Fig. 2: 56), as recited in amended claim 1. The connecting bracket of Hohmann '798 has only two curves, and they are located at the opposite ends of the cross member (56). Finally, claim 1 is allowable over Salisbury '342, because the connecting bracket of Salisbury '342 does not have two substantially straight arms

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extending from the cross member in a substantially similar direction, as recited in amended claim 1. The arms (Fig. 8: 68) of Salisbury '342 extend from the cross member in opposite directions. As such, claim 1, and claims 2, 3, 9, 10, 12 and 13, which depend on claim 1, are allowable.

In addition, new claim 12 is allowable because the prior art does not disclose a connecting bracket according to claim 1 with first and second arms, first and second connectors, and a cross member that are all coplanar. Also, claim 13 is allowable, because the prior art does not disclose a connecting bracket according to claim 1 that is substantially U-shaped.

Claims 4 and 11 have been canceled without prejudice. Applicant reserves the right to pursue the subject matter of claims 4 and 11 in a continuation or divisional application.

For the reasons stated above, the application is in a condition for allowance. Therefore, Applicant respectfully requests that a timely Notice of Allowance be issued in this application.

Respectfully submitted,


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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to Technology Center 3600, Fax No. 571-273-8300 on July 28, 2005.

Signature: Myra P. Howell 7/28/05
Myra P. Howell Date